

REMARKS

Claims 1-11 are all the claims pending in the application.

The Examiner has rejected claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserts that it is unclear whether the two (2) second information items on lines 6 and 11 are the same or different information items. Applicant has amended claim 1, as set out above, to recite “the second information item” in line 11. As such, Applicant respectfully submits that this amendment clarifies the language of claim 1.

The Examiner has rejected claims 1, 4-5, 7-8 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Schumacher (U.S. Patent No. 6,269,446) in view of Jones (U.S. Patent No. 5,623,637). In addition, claims 2 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schumacher in view of Jones, and further in view of Nash (U.S. Patent No. 4,555,591). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schumacher in view of Jones, and further in view of Bruce Schneier’s Applied Cryptography.

Claim 6 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schumacher in view of Jones, and further in view of Ansell (U.S. Patent No. 6,367,019). As a final matter, claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schumacher in view of Jones, and further in view of Lee (U.S. Patent No. 5,790,663). Applicant traverses these rejections because the cited prior art failed to disclose or suggest all of the claim limitations, and the asserted combination of Schumacher and Jones is technically improper and

will not produce Applicant's claimed invention. Further, there is no motivation or suggestion that would have led one skilled in the art to combine the prior art to arrive at the claimed invention.

I. Claims 1 and 11

Independent claim 1 recites, among other things, an encryption key which is a first unique information item that specifies exclusively a predesignated information encryption device and a decoding key which is a second unique information item that corresponds to the first unique information item. Similarly, claim 11 recites, among other things, an encryption key which is a first unique information item that is not duplicated in devices other than a predesignated information processor and decoding key defined as a second unique information item that corresponds to the encryption key.

The Examiner asserts that Schumacher supplies all the limitations of claims 1 and 11 except for the second unique information item. To supply this missing element, the Examiner asserts that Jones teaches a second information item which corresponds to a first information item and is used as a decoding key. Further, the Examiner asserts that Jones also provides the motivation to combine its second information item with the device disclosed in Schumacher because it offers the advantage of providing secure storage for encryption/decryption keys where access is limited to authorized individuals. Applicant respectfully disagrees.

Initially, while Jones teaches a second key (private key value 430) for decrypting an encrypted file, there is absolutely no indication that there is any correspondence between the

private key value 430 and public key value 435 as recited in claims 1 and 11. Further, Jones' public key value 435 (which would correspond to the recited first unique information item if the Examiner's assertion holds) does not specify exclusively a predesignated information encryption device (claim 1) or predesignated information processor (claim 11). Accordingly, the asserted combination fails to teach the recited first and second unique information items of claims 1 and 11.

Further, the Examiner's cited motivation does not in any way address the unique relationship between the present invention's first and second unique information items of claims 1 and 11. In addition, the reference portion of Jones which the Examiner cites in support of the necessary "motivation" does not in any way address the needs or capabilities of Schumacher's digital camera imaging authentication device. As such, the Examiner's rationale for the required motivation is simply unsupported with respect to these patent references.

Jones teaches an encryption technique using two keys, a public key for encrypting information and a private key for decryption. (Col. 1, lines 41-49). This is called a public key system where anyone can use the public key to encrypt data, but only a recipient with a secret key can decrypt the data. (Col. 1, lines 43-45). However, while Schumacher also utilizes a form of public/private key encryption and decryption, neither reference's private encryption key specifies an exclusive predesignated information encryption device as recited in claims 1 and 11. Thus, even if Jones and Schumacher could be combined, the combination would not result in the present invention. Therefore, one of ordinary skill in the art would not have been motivated to

combine Schumacher and Jones as suggested by the Examiner. As such, and for the other reasons stated above, the Examiner's § 103(a) rejection of claims 1 and 11 is improper.

II. Claims 2-10

Claims 2-10 all depend from claim 1, and the Examiner's rejection of the same is based on the Examiner's asserted combination of Schumacher and Jones, in combination with other references. Therefore, claims 2-10 should be allowed for at least based on their dependence of claim 1 for at least the same reasons as described above.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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